

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Akira JINZAKI

Serial No. 10/608,064

Group Art Unit: 2152

Confirmation No. 7805

Filed: June 30, 2003

Examiner: HOANG, HIEU T.

For: BROADCAST TYPE COMMUNICATION DATA DISTRIBUTION DEVICE AND BROADCAST
TYPE COMMUNICATION SYSTEM

COMMUNICATION TO THE EXAMINER

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

An Information Disclosure Statement was filed herein on May 15, 2009. A copy of the Information Disclosure Statement including USPTO electronic receipt thereof is attached for reference convenience and copies of the IDS citations were submitted as evidenced by the USPTO Image File Wrapper.

It is respectfully requested that the Examiner return a copy of the Form PTO-1449 and Attachment 1(g) accompanying the Information Disclosure Statement of May 15, 2009, signed and initialed to indicate that the documents listed therein have been considered by the Office.

Since the application has been allowed, this matter is somewhat urgent.

Respectfully submitted,
STAAS & HALSEY LLP

/Mehdi D. Sheikerz/

Date: _____ June 25, 2009 _____ By: _____
Mehdi D. Sheikerz
Registration No. 41,307

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

Acknowledgement Receipt

The USPTO has received your submission at **16:09:16** Eastern Time on **15-MAY-2009**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

eFiled Application Information

EFS ID	5344348
Application Number	10608064
Confirmation Number	7805
Title	BROADCAST TYPE COMMUNICATION DATA DISTRIBUTION DEVICE AND BROADCAST TYPE COMMUNICATION SYSTEM
First Named Inventor	Akira Jinzaki
Customer Number or Correspondence Address	21171
Filed By	Mehdi Sheikerz/Lakisha Powell
Attorney Docket Number	826.1878
Filing Date	30-JUN-2003
Receipt Date	15-MAY-2009
Application Type	Utility under 35 USC 111 (a)

COPY**Application Details**

Submitted Files	Page Count	Document Description	File Size	Warnings
0826-1878-IDS-7pp.pdf	7		419871 bytes	◇ PASS
		Document Description	Page Start	Page End
		Transmittal Letter	1	4
		Information Disclosure Statement (IDS) Filed (SB/08)	5	5
		Transmittal Letter	6	7
Korean-Office-Action.pdf	10	Foreign Reference	584193 bytes	◇ PASS
2002-118552.pdf	14	Foreign Reference	1223393 bytes	◇ PASS
2002-185528.pdf	18	Foreign Reference	1607174 bytes	◇ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

COPY

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an International application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

If you need help:

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.*
- *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
- *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.*

COPY

Attorney Docket No. 826.1878

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Akira JINZAKI

Application No.: 10/608,064

Group Art Unit: 2152

Confirmation No. 7805

Filed: June 30, 2003

Examiner: HOANG, HIEU T.

For: BROADCAST TYPE COMMUNICATION DATA DISTRIBUTION DEVICE AND
BROADCAST TYPE COMMUNICATION SYSTEM

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. ☒ Form PTO-1449.
- 1b. ☒ Copy(ies) of IDS citation(s), except for U.S. Patents and U.S. Patent Application publications.
- 1c. ☒ English language copy of a communication(s) from a foreign Patent Office or a PCT International Search Report.
- 1d. ☒ English language translation (complete, Abstract or relevant portion(s)) attached to non-English language publications as indicated on the attached Form PTO-1449.
- 1e. ☒ Explanations of Relevancy of References (ATTACHMENT 1(e), hereto)
- 1f. ☐ List of Pending Applications (ATTACHMENT 1(f), hereto).
- 1g. ☒ List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. ☒ This Information Disclosure Statement is filed under 37 CFR § 1.97(b):

(Check either Item 2a or 2b or 2c or 2d)

- 2a. ☐ Within three months of the filing date of a national application;
- 2b. ☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. ☐ Before the mailing of a first Office Action on the merits; or
- 2d. ☒ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)

- 3a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; OR
3b. ☐ The \$180.00 fee set forth in 37 CFR § 1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

4. ☐ This Information Disclosure Statement is filed under 37 CFR § 1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND

- 4a. ☐ The § 1.97(e) Statement in Item 5 below is applicable; AND
4b. ☐ The \$180.00 fee set forth in 37 CFR § 1.17(p) is:
☐ enclosed.
☐ to be charged to Deposit Account No. 19-3935.

5. ☐ Statement under § 1.97(e) (applicable if Item 3a or Item 4a is checked)

(Check either Item 5a or 5b)

- 5a. ☐ In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
5b. ☐ In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. ☐ This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

(Check appropriate Items 6a and/or 6b)

- 6a. ☐ Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).
6b. ☐ Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

7. ☐ This is a Request for Continued Examination under 37 CFR § 1.114.
(Check either Item 7a or 7b)
- 7a. ☐ The Issue Fee has not been paid.
- 7b. ☐ A Petition to Withdraw from issue under 37 CFR § 1.313(c) is filed concurrently herewith or has been granted. A Request for Continued Examination under 37 CFR § 1.114, after payment of the Issue Fee, is proper in accordance with 37 CFR § 1.114(a), respectively.
8. ☐ This is a Supplemental Information Disclosure Statement.
(Check either Item 8a or 8b)
- 8a. ☐ This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on _____. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on _____.
- 8b. ☐ This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR §§ 1.97 and 1.98, mailed _____.
9. ☒ In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
(Check appropriate Items 9a, 9b, 9c and/or 9d)
- 9a. ☒ satisfied for the non-English language publication(s) cited on the enclosed "English language version of the search report or action which indicates the degree of relevance found by the foreign office". (See MPEP § 609, Minimum Requirements for an Information Disclosure Statement, Part A(3): Concise Explanation of Relevance, 8th Ed., Rev. 2)
- 9b. ☐ set forth in the application.
- 9c. ☐ satisfied for the non-English language publication(s) indicated on the attached Form PTO-1449 as having an English language translation (complete or relevant portion(s)) attached thereto.
- 9d. ☐ enclosed as Attachment 1(e), hereto.
10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

COPY


Serial No.: 10/608,064

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Dated: May 15, 2009
1201 New York Ave., N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

By: 
Mehdi D. Sheikherz
Registration No. 41,307

COPY

Sheet 1 of 1

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 826.1878	APPLICATION NO. 10/608,064
INFORMATION DISCLOSURE STATEMENT <i>(Use several sheets if necessary)</i>		FIRST NAMED INVENTOR Akira JINZAKI	
		FILING DATE June 30, 2003	GROUP/PART UNIT 2152

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	TRANSLATION YES NO		ENGLISH ABSTRACT
	AG	2002-118552	04/19/2002	Japan	(partial)		X
	AH	2002-185528	06/28/2002	Japan	(partial)		X
	AI						
	AJ						
	AK						
	AL						

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

TRANSLATION
YES NO

	AM			
--	----	--	--	--

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

COPY

ATTACHMENT 1(e)

EXPLANATIONS OF RELEVANCY OF REFERENCES	ATTORNEY DOCKET NO.	APPLICATION NO.
	826.1878	10/608,064
	FIRST NAMED INVENTOR	
	Akira JINZAKI	
	FILING DATE	GROUP/ART UNIT
	June 30, 2003	2152

- ❖ Please note that reference AG (JP 2002-118552) and AH (2002-1855828) listed on the attached PTO-1449 were cited in the Korean Office Action issued on March 19, 2009 in corresponding Korean Patent Application No. 10-2003-46716.
- ❖ Please note that reference JP 2002-118552 cited in the Korean Office Action was submitted in a previous Information Disclosure Statement filed on October 17, 2007. Enclosed herewith please find further English translation for the same.

COPY

ATTACHMENT 1(g)

LIST OF ADDITIONAL SUBMITTED DOCUMENTS	ATTORNEY DOCKET NO.	APPLICATION NO.
	826.1878	10/608,064
	FIRST NAMED INVENTOR	
	Akira JINZAKI	
	FILING DATE	GROUP ART UNIT
	June 30, 2003	2152

The following document(s) is/are listed in accordance with the duty of disclosure provisions of 37 CFR § 1.56, so that the Examiner may consider same should he deem any thereof to be material to examination of the subject application.

It is requested that the Examiner acknowledge his consideration of document(s) below-listed by initialling same in the space provided adjacent each such application and that the Examiner sign and date this form at the bottom thereof to confirm such consideration having been given.

This submission in no way represents an admission that any of the information listed herein constitutes prior art with respect to the subject application; and unless and until such prior art status is established, this submission is not a request that the information presented herein be printed on the face of any patent issuing from the subject application in which this information is being filed.

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	BA						
	BB						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO	
	BC							
	BD							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

							TRANSLATION YES NO	
	BE	Korean Office Action mailed on March 19, 2009 in corresponding Korean Application No. 10-2003-46716. (5 pages) (5 pages English translation)					X	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if document considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	